Province of Saskatchewan

Annual Report

of the

Saskatchewan

Conflict of Interest Commissioner

Ronald L. Barclay, Q.C.

2012-2013

under *The Members' Conflict of Interest Act*

SASKATCHEWAN
CONFLICT OF INTEREST
COMMISSIONER

Hon. Ronald. L. Barclay, Q.C.
150 – 2401 Saskatchewan Drive
Regina, Saskatchewan
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July 2013

The Honourable Dan D'Autremont
Speaker of the Legislative Assembly
of Saskatchewan
Room 129, Legislative Building
2405 Legislative Drive
REGINA, Saskatchewan
S4S 0B3

Dear Mr. Speaker:

I have the pleasure and honour to present to you the Annual Report of the Conflict of Interest Commissioner for the period of January 1, 2012 to March 31, 2013.

This Report is submitted pursuant to Section 25 of *The Members' Conflict of Interest Act*, Chapter M-11.11, Statutes of Saskatchewan, 1993.

Yours respectfully,

Ronald L. Barclay, Q.C.
Conflict of Interest Commissioner

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ANNUAL REPORT

To the Legislative Assembly

For the Year Ending March 31, 2013

It is an honour and privilege to submit my third Annual Report of the Office of the Conflict of Interest Commissioner for the Province of Saskatchewan. I was formally appointed to a five-year term by Resolution of the Legislative Assembly of Saskatchewan on April 29, 2010.

THE OBLIGATIONS OF MEMBERS

The responsibilities of the Members as I stated in my last Annual Report are as follows. Persons elected to the Legislative Assembly of Saskatchewan are subject to statutory obligations designed to avoid any conduct that may constitute a conflict of interest on the part of the Member. These statutory obligations are set forth in *The Members' Conflict of Interest Act* (the *Act*) adopted by the Legislative Assembly twenty-one (21) years ago.

Members are prohibited from using information that they have acquired as Members of the Legislative Assembly and which is not available to the general public, for the purpose of advancing the private interest of the Member, his or her family, or an associate. This prohibition is set forth in Section 4 of the *Act*.

> **4** A member shall not use information that is gained in the execution of his or her office and is not available to the general public to further or to seek to further the member's private interest, his or her family's private interest or the private interest of an associate.

Additionally, a Member must not use his or her position to influence other decision makers to advance the private interest of the Member, his or her family or an associate. This prohibition is set forth in Section 5 of the *Act*.

> **5** A member shall not use his or her office to seek to influence a decision made by another person to further the member's private interest, his or her family's private interest or the private interest of an associate.

Members of the Legislative Assembly are prevented by statute from accepting, except in specific circumstances, any gifts or benefits offered to them in respect of the carrying out of the Member's duties. This prohibition is set forth in Section 7 of the *Act*.

7(1) Neither a member nor any of the member's family shall accept a fee, gift or personal benefit, except compensation authorized by law, that is connected directly or indirectly with the performance of the member's duties of office.

(2) Subsection (1) does not apply to a gift or personal benefit that is received as an incident of the protocol or social obligations that normally accompany the responsibilities of office.

(3) Where a gift or personal benefit mentioned in subsection (2) is greater than $200 in value, or where the total value received directly or indirectly from one source in any 12-month period is greater than $200, the member shall immediately file with the commissioner a disclosure statement.

(4) The disclosure statement required pursuant to subsection (3) shall:

(a) be in the form prescribed by the regulations; and
(b) indicate the nature of the gift or benefit, its source and the circumstances under which it was given and accepted.

The interpretation of the provisions referred to above is based in part on the wording of Section 3 of the *Act* which provides a definition of "conflict of interest".

3 For the purposes of this Act, a member has a conflict of interest when the member makes a decision or participates in making a decision in the execution of his or her office and at the same time knows that in the making of the decision there is the opportunity to further his or her private interest, his or her family's private interest or the private interest of an associate.

A MEMBER MUST AVOID DOING THE FOLLOWING:

- Participating in a Government Contract except those contracts exempted by Section 15(6) of the *Act* or those approved by the Commissioner pursuant to Section 16 of the *Act*.
- Making a decision or participating in the making of a decision in the execution of his or her office while at the same time knowing that in the making of the decision, there is the opportunity to further the Member's private interest or the private interest of a Member's family or the Member's associate (Section 3).

- Using information that is gained in the execution of his or her office and which information is not available to the general public to further or seek to further the Member's private interest or the private interest of the Member's family or the Member's associate (Section 4).
- Using the Member's office to seek to influence a decision made by another person to further the Member's private interest or the private interest of his or her family or his or her associate (Section 5).
- Accepting any fee, gift or personal benefit other than compensation authorized by law that is connected directly or indirectly with the performance of the Member's duties or office, unless the gift or personal benefit is received by the Member as an incident of the protocol or social obligations that normally accompany the responsibilities of office (Section 7).

RESPONSIBILITIES OF THE CONFLICT OF INTEREST COMMISSIONER

The Conflict of Interest Commissioner is an Officer of the Legislative Assembly and is independent of Government. In my view, the complete independence granted to the Commissioner is essential in the carrying out of the statutory requirements detailed in *The Members' Conflict of Interest Act*.

It is the responsibility of the Commissioner to ensure that each Member of the Legislative Assembly maintains a high standard of ethical conduct.

A conversation I had as a young lawyer, after arguing a case in the Supreme Court of Canada, with Chief Justice Brian Dickson had a profound influence on me. After encouraging me to accept a judicial appointment, if offered, he said as a judge you only answer to the law and your own conscience. Those words stuck with me through my judicial career. As a result of his advice, I have always been cognizant of the importance of the independence of the judiciary and its effect on the rule of law in a democratic society. The comments of the Chief Justice equally apply to my present role.

The duties of the Commissioner are:

- act as an **adviser** to Members to ensure they meet their obligations under the *Act;*
- meet with each Member at least annually to review the **disclosure** of the Member's financial interests;
- **gather information** in response to requests made under the *Act*; and
- undertake a **formal inquiry** into alleged contraventions of the *Act.*

The Commissioner's primary role is that of an adviser to Members. I encourage all members to consult with me at the earliest opportunity if they have questions or concerns about their obligations so that potential conflict of interest situations can be avoided. The majority of requests usually come from Ministers, given the wider scope of their duties and their additional obligations under the *Act*.

Requests for opinions come in various forms. Members may have an informal conversation with me, or may make a formal request for a written response. If I decide that a Member has or may have a conflict of interest, I can make a recommendations specifying a timeframe for compliance.

My opinions and recommendations are confidential unless released by the Member or with the Member's consent.

In Saskatchewan, within 90 days after an election and annually by March 31st for each year after that, each Member must file a MEMBER'S PRIVATE DISCLOSURE STATEMENT with me, in the form prescribed by the regulations. This disclosure statement must contain an accounting of the *nature* of the assets, liabilities and financial interests of the Member, the Member's spouse, minor children and private corporations they control.

The disclosure requirements are the same for all Members.

Once the private disclosure statement has been filed with our Office, the Member (and spouse if available) meets with the Commissioner to discuss their obligations under the *Act*. This annual meeting with the Commissioner is required for all Members.

This meeting with Members also helps develop a good working relationship between the Commissioner and the Members. These meetings permit me to raise any issues I may have concerning the Member's private disclosure statement as well as to ensure that the information is accurate and complete. It also gives each Member an opportunity to inquire about the application of the *Act* to their particular circumstances. This annual meeting is most useful not only for me but also for the Members.

After meeting with the Member, I must prepare a MEMBER'S PUBLIC DISCLOSURE STATEMENT which contains all relevant information provided by the Member (and spouse if applicable). They are filed on-line with the Office of the Clerk of the Legislative Assembly prior to June 30.

It is critical to underscore that these meetings also provide a further opportunity for me to identify and resolve any potential conflicts of interest.

Last year I met with all 58 Members.

They each consulted with me and where necessary, provided me with information I believed was lacking in their private disclosure statement. I was satisfied that each Member was aware of his or her statutory obligations to avoid actual or perceived conflicts of interest in the carrying out of their legislative and executive responsibilities, and each was desirous of observing the letter and spirit of the *Act*.

GIFTS

Some time ago I circulated to all Members of the Legislative Assembly a booklet called "Accepting and Disclosing Gifts: A Guide for Members". This booklet provides examples of instances when it is appropriate and inappropriate for an M.L.A. to accept gifts and/or benefits. As to when an M.L.A. can accept gifts is an ongoing and important concern. I thought it would be helpful to again incorporate this booklet in my Annual Report. I also include a copy of *The Members' Conflict of Interest Act*, as an appendix.

Members should avoid circumstances where a reasonable person might conclude that the gift or benefit given was intended to influence the Member in carrying out his or her duties. This concern is obviously heightened when gifts are received from a donor who has official dealings with the Government.

The rules provide that Members are permitted to accept only those gifts or benefits connected with the performance of their duties if it is "a gift or personal benefit that is received as an incident of the protocol, customs or social obligations that normally accompany the responsibilities of office." Gifts arise due to a protocol, custom or social obligation if a Member, for example, participated in a ribbon-cutting ceremony, or made a speech.

Consideration should be given to the following questions when offered a gift or benefit:

- How is this gift connected to my responsibilities of office?
- Can the gift or benefit reasonably be seen to be given to influence me in the exercise of my official responsibilities of office (either as a Member or Minister)?
- Is there an expectation that I will do something for the donor in return?

In the absence of a protocol, custom or social obligation, the gift is not permissible under section 7 of the *Act*. If the gift has already been accepted by the Member, the Conflict of Interest Commissioner usually recommends that the gift be returned or reimbursement made to the donor. Gifts received with a value over $200 must be publicly disclosed.

2012

Accepting and Disclosing Gifts

A Guide for Members

Hon. Ronald L. Barclay, Q.C.

Saskatchewan
Conflict of Interest Commissioner

About this Guide

This Guide has been compiled to:

- **Help you understand your obligations under section 7 of *The Members' Conflict of Interest Act*; and**
- **Provide guidance on responding appropriately in a variety of situations involving specific types of gifts.**

This Guide is also available online at

http://www.legassembly.sk.ca

Contact us at:

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ACKNOWLEDGEMENT

This booklet was prepared by the office of the Conflict of Interest Commissioner for the Province of British Columbia. He has kindly agreed to allow us to circulate it to Saskatchewan MLAs.

The necessary changes have been made to comply with Saskatchewan Legislation.

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Overview

The basic rule is that you are prohibited from accepting a gift given to you in connection with the performance of your duties as an elected official. This applies to gifts given to you either directly or indirectly.

However, there is an exception for gifts given to you as an **"incident of protocol or social obligations"**. In most cases this means a token expression of appreciation or complimentary hospitality in the context of some official interaction. Any such gifts with a likely value of $200 or more must be disclosed

The *Act* requires you to immediately disclose receipt of a gift. Accordingly you should return the disclosure form to our office as soon as possible following acceptance of the gift or of enjoying the hospitality.

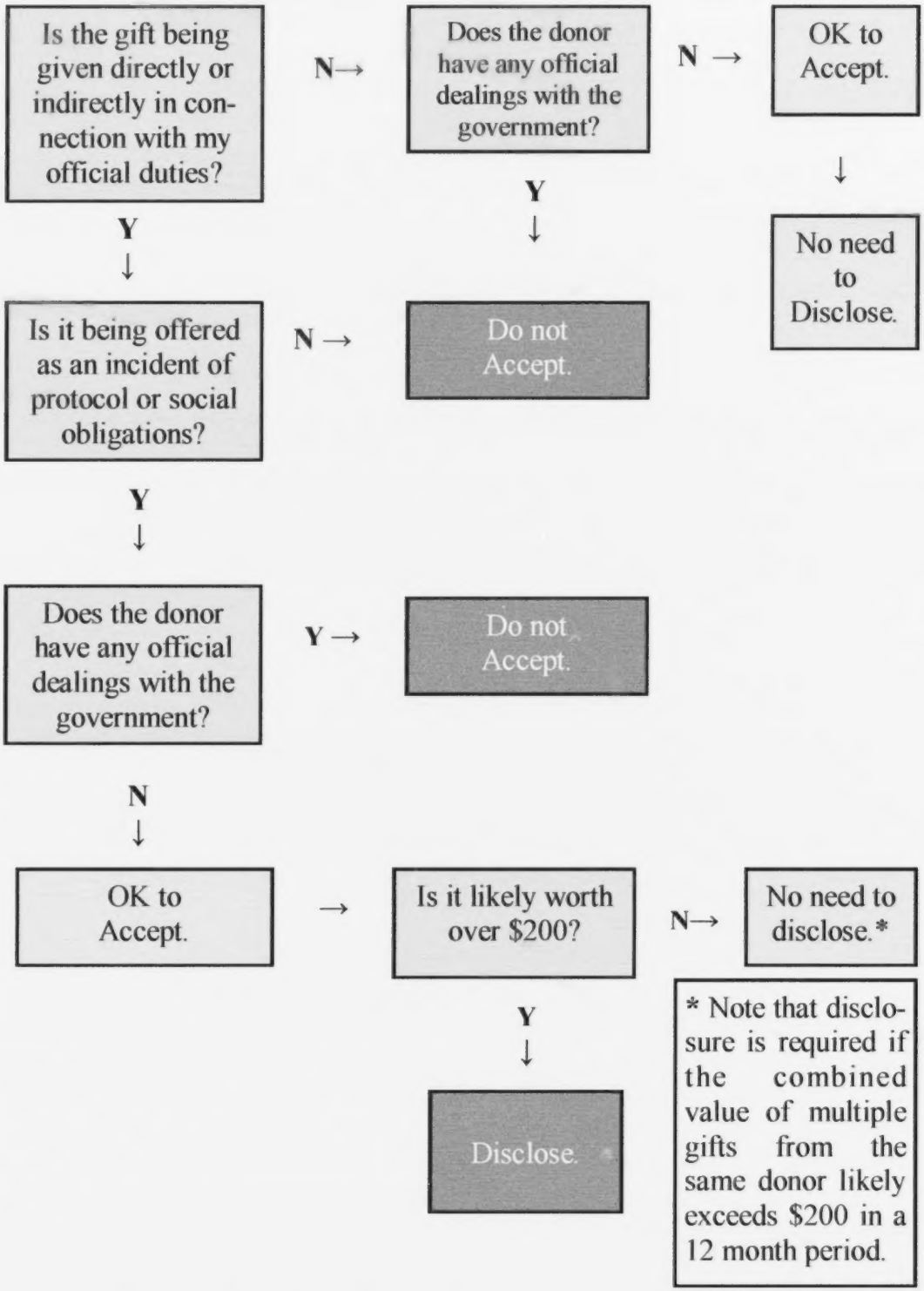
It is important to consider whether the gift is being offered by someone whose interests could be affected by a decision you could be called upon to make, and whether accepting a gift from a particular donor would or would appear to place you under an obligation.

Generally, you should not accept a gift if the donor:

- has, has had or may have official dealings with the government;
- is or may be affected by government programs or policies;
- is or may be regulated by government.

This flowchart summarizes the **general** process to follow when offered a gift.

Accepting and Disclosing Gifts


Is the gift being given directly or indirectly in connection with my official duties?
N→
Does the donor have any official dealings with the government?
N →
OK to Accept.
Y
No need to Disclose.
Y
Is it being offered as an incident of protocol or social obligations?
N →
Do not Accept.
Y
Does the donor have any official dealings with the government?
Y →
Do not Accept.
N
OK to Accept.
→
Is it likely worth over $200?
N→
No need to disclose.*
Y
Disclose.
* Note that disclosure is required if the combined value of multiple gifts from the same donor likely exceeds $200 in a 12 month period.

Specific Types of Gifts

Prizes

Whether you may keep a prize depends upon whether you won it while acting in your official capacity or not.

Example 1: While on a family vacation, you win a free airline ticket in the airline's promotional contest.

You may keep the ticket as it is not connected to your official duties. It does not need to be disclosed.

Example 2: You are representing the Province at an event and your name is drawn for the door prize.

As this is a personal benefit connected to carrying out your official duties, it does not fit the exemption and you should graciously decline the door prize.

Even if you intend to forfeit or give away a gift or a prize, keep in mind that your obligations under section 7 of the Act still apply as you are the original recipient.

Regardless of the gift's final disposition, you must still consider whether it is appropriate to accept it in the first place and if so, whether it must be disclosed.

Donating or Forfeiting Gifts

There is no specified threshold for forfeiting or donating gifts, but in practice our office suggests that gifts likely worth over $200 which do not have a personal component should be either left in a government office or donated to a provincially owned institution, such as a museum.

You may also wish to donate a gift you have received to a local community organization or charity. If you decide to donate a gift, you may **not** claim the tax benefit.

Example 1: After giving a speech at a local service club, you are presented with a laptop computer worth $1,200. You would like to donate the laptop to a local non-profit group.

You may accept the gift as an incident of protocol. If you do donate the laptop, you may **not** claim a tax benefit. It must be disclosed as it is worth over $200.

Example 2: You receive a limited edition Robert Batemen print from an oil company operating in your constituency. You would like to donate the print to a local library.

Regardless of whether you intend to keep it or not, you should politely decline this gift, given that the company is in an industry regulated by government.

Donations

Some donors may suggest making a donation to a charity in your name. Any such donations should be made in the donor's name, not in you own. You may **not** claim the tax benefit for any such donation made.

Sponsored Travel

"Sponsored travel" means travel on a commercial, non-commercial or private aircraft at a reduced rate or at no cost.

Most often, this situation arises when you are travelling to a remote location and the only reasonable means of travel available is by private or corporate aircraft.

- Sponsored travel is **generally prohibited**, unless there is no alternative.

- Generally, you may accept sponsored travel if required to take part in a genuine "fact-finding event" related to carrying out your official duties.

  You must seek the Commissioner's approval before accepting sponsored travel, or disclose as soon as possible after traveling if pre-approval is not possible in the circumstances.

Describe the circumstances as fully as possible when seeking approval from the Commissioner.

The following chart provides guidance on a variety of sponsored travel scenarios you may encounter.

Circumstances	Acceptable?	Disclose? (If value likely over $200)
Fact-finding tour within Sask. to a remote or inaccessible location, on a corporate or a private aircraft (no commercial flights available).	Yes, if connected to your official duties and there is a benefit to the people of Sask., e.g. the tour relates to an important employment sector in your riding or involves an industry related to your portfolio.	The estimated commercial value of the flight does not need to be disclosed because the gift has been made to the Province rather than to you personally.
Fact-finding tour or trade mission outside of Sask. paid for by another level of government, foreign government or outside agency.	Yes, if there is a logical connection to your official duties and there is a benefit to the people of Sask. such as enhancing trade opportunities.	The cost of the flight does not need to be disclosed because the gift has been made to the Province rather than to you personally.
Travel on a commercial or private aircraft for personal reasons, paid for by friend/family.	Yes, if the friend or family member does not have official dealings with the government.	The value of the travel does not need to be disclosed as it is not connected to your official duties.
Complimentary travel from an airline or other travel company.	**Prohibited.** There is a clear inference of a *quid pro quo* down the line in order to get government business.	

Airmiles/Bonus Points

Travel loyalty program benefits, such as airline frequent flyer points accumulated while traveling on official business, must not be used for personal benefit. Such benefits or discounts should be applied only against future official business travel or donated to a charity. If you donate your points to a charity, you may **not** accept a receipt for personal tax deduction purposes for the value of the points.

Promotional Items

There is a wide range of promotional items that you may be offered from a variety of donors. In most cases, these will be inexpensive trinkets such as pens and bags, but occasionally a more expensive item may be offered.

Regardless of the value of the item, it is important to consider whether it is appropriate for you to be seen to be endorsing or promoting the donor's product or activity.

Generally, items that promote public events or services are more acceptable than those promoting purely commercial interests. You should exercise caution particularly if the donor is regulated by or has official dealings with the government.

Example 1: A museum in a town in your constituency sends you a package which includes pens, posters, and other items promoting the town's 100th anniversary event.

You may accept the items as it is appropriate for you to show your support for such an important local event.

Example 2: You are attending an event sponsored in part by a forestry company. Guests at the event are given a travel mug prominently displaying the company's logo.

Although it is unlikely that such an inexpensive gift would be seen to influence your decision-making process, you should not accept the gift as it could be seen as an endorsement of that company.

Complimentary Passes and Memberships

This part deals with some guidelines on the acceptance of complimentary passes, season tickets and memberships. In summary, acceptability and disclosure depend on **who** the donor is and **how** the benefit will be used.

- *Complimentary passes or memberships to private sports or golf clubs and other purely recreational facilities are generally prohibited.*
- *If the donor is a public institution such as a museum or a zoo, use of the facility is considered a "marketing tool" and may be accepted. It must be disclosed if the value likely exceeds $200.*
- *If the donor is a private entity, it may also be appropriate to accept complimentary use of the facility if it helps you to carry out your responsibilities of office more efficiently.*

Keep in mind that you may only use such privileges while conducting official business.

Example 1: An airline company offers you a free pass to its airport lounges.

As the lounges provide a quiet and comfortable space in which to work while travelling on official business, you may accept. Disclosure is required if it is likely worth over $200.

Example 2: A private golf and country club offers you a free membership.

As there is likely little or no use of the amenities that would help you carry out your official duties, you should decline the offer.

Events and Hospitality

As an elected representative, you are likely to receive invitations to a wide variety of events. These could include sporting events, artistic productions, galas, ceremonies, fundraising dinners and the like. Generally, if the event is taking place in your constituency and you are acting in your official capacity, you may accept complimentary tickets to such events, as well as any attendant hospitality.

If you have an official role at an event, such as giving a speech or meeting foreign dignitaries and your expenses would normally be paid for by the Province, the provision of hospitality is a gift to the Province and does not have to be disclosed.

If the donor is a corporate sponsor, it is important to look at their relationship with government before accepting their invitation.

Charitable Events

Organizers of fundraising events are often grateful for the presence of the constituency's elected representative at their event. Generally, you may accept such invitations as a social obligation. In most cases, the ticket price for a fundraising event is greater than the actual benefit you receive. For disclosure purposes, the value of the gift is the amount of donation that is **not** tax deductible.

Example 1: A homeless shelter in your constituency invites you to a fundraising dinner. Tickets are $300, $225 of which is tax-deductible. The dinner is a personal benefit which you may accept as part of the protocol or social obligations of office. You do not need to disclose the gift as the value received is $75.

Example 2: You have been invited to participate in a charity golf tournament. One of the major corporate sponsors of the event, a pulp mill operator, has offered to cover your entrance fees. As the sponsor is in an industry regulated by the Province, you should pay your own entrance fees if you participate.

The following chart provides guidance on a variety of events and hospitality scenarios you may encounter.

Circumstances	Acceptable?	Disclose? (If value likely over $200)
Attendance at an event where you have an official function, (e.g. giving a speech or presentation.	Yes, if related to your official duties.	The value of the tickets and/ or hospitality does not need to be disclosed because the gift is to the Province rather than to you personally.
Attendance at major sporting or cultural events and receptions at the invitation of a corporate sponsor where you have no official function but are attending as an elected representative.	Yes, if related to your role as an elected representative and the donor has no official dealings with the government. Your attendance is acceptable as a "marketing tool" to promote important public events.	Personal benefit that can be accepted as an incident of protocol or social obligations. The value of the tickets/ hospitality must be disclosed.
Tickets to an event/ hospitality from a friend or family member where you have been invited on a personal basis.	Yes, if the donor has no official dealings with the government.	May be accepted as unrelated to your official role and therefore there is no need to disclose.
Tickets to a charitable event given to you by the sponsoring charity.	Yes.	Personal benefit that can be accepted as an incident of protocol or social obligations. The value of the hospitality received should be disclosed. You may not claim a tax benefit.
Tickets to a charitable event given to you by a corporation.	Yes, unless the donor has or is likely to have dealings with government, or is regulated by government.	Personal benefit that can be accepted as an incident of protocol or social obligations. The value of the hospitality received should be disclosed. You may not claim a tax benefit.

Gifts from friends and family members

You may accept gifts from friends and family members in normal gift-giving situations (e.g. birthday, anniversary). However if you receive a gift that is outside the normal gift -giving pattern of your relationship, you should consider whether external factors may be at play before accepting the gift.

A "friend" is someone with whom you have had a long standing personal relationship, extending beyond mere acquaintanceship.

Example 1: You are on friendly terms with your neighbours and you usually exchange token gifts at Christmas time. This year however, your neighbours presented you with a flat screen TV worth several hundred dollars.

Since this is such a departure from the gift-giving norm you have established, ask yourself *why* they have given you such an expensive present. They may have come into some money and given you the gift simply out of generosity. However, if they have any current or potential official dealings with the government, such as a licence application, you should decline the gift as it could appear that it was given in order to influence you in some way.

Example 2: Your spouse's parents are celebrating their wedding anniversary in Maui and have invited you and your family to join them. They have offered to pay for all of your travel expenses. They are retired and do not have any current or potential official dealings with government. You may accept the gift as it is not connected in any way with your official duties.

Gifts to family members

If a gift is offered to a family member, the same considerations apply as if the gift were given to you directly. This is because the *Act* also applies to gifts given to you indirectly.

Example 1: A local business competing for a government contract sends your daughter a complimentary ski pass to a ski resort.

Unless there are circumstances that indicate otherwise, it looks like the gift may have been given to your daughter because of her relationship to you. In effect, the gift was indirectly given to you. The gift should not be accepted as it appears to place you under an obligation to the donor.

Example 2: You have been invited to a leadership awards ceremony sponsored by the Chamber of Commerce. The invitation includes your spouse. Tickets to the ceremony cost $150 each.

You may accept the free tickets as part of the protocol or social obligations of office. If you attend on your own, you do not need to disclose the gift as the value of the personal benefit is less than $200. However if your spouse attends with you, disclosure is required as the combined value of both tickets is more than $200.

Your spouse and dependent children are considered your "family members".

FAQ

Q. Are there any types of gifts that are prohibited?

A. You may not accept cash or gift certificates under any circumstances. You must never solicit a gift.

Q. What if I have already accepted a gift, and later discover that I shouldn't have done so?

A. In most cases, you will simply be able to return the gift with a polite letter of explanation. However, sometimes this will not be possible (e.g. hospitality or travel that has already been enjoyed). If this is the case, you should determine the value of the benefit received, and return that amount to the donor. You should provide copies of any related correspondence to the Commissioner.

Q. Where can I get disclosure forms?

A. Forms are readily available from our office. You can reach us by phone at (306) 787-8351 or by email at rbarclay@legassembly.sk.ca.

Q. What if the gift is something that cannot be purchased, such as tickets to the team suite at a professional sporting event?

A. You should disclose the gift and declare that it has "no commercial value."

MEMBER DISCLOSURE STATEMENTS AND PRIVACY

I received a request by several M.L.A.s to inquire as to whether *The Members' Conflict of Interest Act* (the *Act*) should be amended for privacy reasons to ensure that neither the address of the property where the member or his family resides nor the names of dependents be disclosed.

In Saskatchewan the legislation provides that a Public Disclosure Statement must disclose the municipal address or legal description that the member or any of the member's family has any interest or right to and this includes the property where the member or his family resides.

In view of the request I canvassed my colleagues in other jurisdictions in order to ascertain what was their practice.

The results were as follows.

Canada

As for addresses of the member or his family, their principal residences are excluded, as well as recreational properties, from public disclosure. They would have to disclose their other assets, including real property, if they were worth more than $10,000.

As for the dependent children, their place of employment is excluded. The commissioner also has a general discretion under paragraph 24(3)(l) not to disclose all assets, liabilities or sources of income. Their assets and liabilities are under the rule mentioned in the previous paragraph.

As for the names of dependent children, they are never disclosed.

British Columbia

Section 17 of the British Columbia Act requires that the public disclosure statement not include the member's address.

The names of the member's spouse and children are not included on the public disclosure statement.

Manitoba

In Manitoba, members must disclose any land in Manitoba in which the member or his or her dependents hold an interest excluding principal residences but including any interest in land held by a corporation in which the member or his or her dependents hold 5% or more of the value of the issued capital stock.

Ontario

The following are not shown in the public disclosure statement:

- Real property that the member or a person who belongs to his or her family uses primarily as a residence or for recreational purposes; and
- Personal property that the member or a person who belongs to his or her family uses primarily for transportation, household, education, recreational, social or aesthetic purposes.

In the early days, Ontario named the children on the Public Disclosure Statements. However, they received a number of submissions and complaints from members and it was decided that the names of minor children are not necessary for purposes of public disclosure. As a result, the commissioner files a Public Disclosure Statement for minor children, however, the Statement only indicates the number and the minor children are referred to as Minor Child #1, Minor Child #2.

Québec

For members, section 40 of their Code provides that a disclosure summary of private interests of each member is prepared by the commissioner. There is no public disclosure for a member's spouse or dependent children.

For cabinet ministers, section 55 of their Code provides that a disclosure summary of private interests of each cabinet minister, including spouse and dependent children, is prepared by the commissioner.

Last year, Québec decided not to disclose the municipal address of any immovable property situated in Québec and elsewhere, intended for personal residential use. They considered the privacy reasons and security concerns for members, cabinet ministers and their families.

Also, the names of the member's spouse and children are not included in the disclosure summary. They only disclose the number of dependent children.

New Brunswick

The New Brunswick legislation does not deal directly with descriptions or addresses of property. Their Act requires the member to "…state the source and nature, but not the value, of the assets, liabilities and financial and business interests…". Excluded are assets and liabilities worth less than $2,500. Other than the primary residence and cottage which are excluded it has been the policy of their office for more than a decade to identify other real estate by address. This also applies to property of a spouse, minors along with a fractional interest with a partner such as 1/3 interest.

Newfoundland

In accordance with their legislation, personal use property (residence, cottage, etc.,) is an excluded private interest so would not be included in the public disclosure statement.

Although not specifically addressed in the legislation, names of dependent children have never been disclosed in these statements. If assets requiring disclosure are shared assets we would indicate something like "member 33%, spouse 25%, child (if not a minor) 25%" etc.

Yukon

The prescribed form requires identification of family member, and identification of the specific real property in Yukon owned by the member or family member (but does not require identification of the "family home or other real property … ordinarily used by both spouses or by one or more of their children while the spouses are residing together for shelter or transportation, or for household, educational, recreational, social, or aesthetic purposes" – though in practice about half of the members do specifically identify the address of their family home.)

Northwest Territories

Excepted from this obligation is any interest in "real property that is primarily for the residential or recreational use of the member or his or her spouse or dependent child".

With this information I intend to raise this issue with the Government and opposition caucuses in order to ascertain whether they are desirous of amending our Act to ensure that our Members and their dependent children have the same right of privacy as Members in other jurisdictions.

CANADIAN CONFLICT OF INTEREST NETWORK ANNUAL CONFERENCE

In September of 2012, I attended the annual conference of the Canadian Conflict of Interest Network (CCOIN) which took place in Fredericton, New Brunswick.

CCOIN is comprised of the various Ethics and Conflict of Interest Commissioners across the country at the federal, provincial and territorial levels of government and primarily those who have jurisdiction over members of legislative bodies.

We meet on an annual basis to discuss issues of common interest and to seek the advice and view of colleagues concerning matters related to conflicts of interest and ethics. These meetings are very beneficial to me as there are many Canadians who carry out legislative and executive responsibilities similar to the 58 Members of the Saskatchewan Legislative Assembly and I find it helpful to learn at the annual conference how my colleagues deal with issues that are common or unique to this aspect of our democratic process.

This informal network is also a valuable resource throughout the year. Commissioners stay in touch via e-mail and are able to connect with colleagues to seek their views on issues as they arise.

EXEMPTIONS GRANTED BY THE COMMISSIONER
UNDER SECTION 16(1) OF THE *ACT*

In June of last year, I made an order granting Mr. Corey Tochor, Member of the Legislative Assembly, a limited extension to participate in a government contract.

My order provides as follows:

> In May of 2006, Mr. Corey Tochor, through his company Health Conveyance, entered into a contract with the Department of Health (Government of Saskatchewan). This contract was renewed in April of 2008, and had a term to March 31, 2012.
>
> Under the contract, Mr. Tochor was to perform certain services on behalf of Saskatchewan Health which, in the language of the contract, were designed to "facilitate a unique message placement service in physician offices". Reduced to its essentials, Mr. Tochor's responsibility was to perform a schedule of listed services which had as their objective the presentation of health information to patients on LCDs installed in physicians' offices in the province.
>
> I have been advised that Saskatchewan Health is fully satisfied with the services they have been provided.
>
> Mr. Tochor was elected as a member of the Legislative Assembly of Saskatchewan in the 2011 election as a representative of a Saskatoon constituency. Pursuant to Section 16 of *The Members' Conflict of Interest Act* (the *Act*), I approved a continuation of the contractual arrangement until June 15, 2012, pending my determination of the ongoing status of the contract under the *Act*.
>
> The relevant section of the *Act* provides as follows:
>
> > 15(1) In this section and in sections 16 and 17, **"government contract"** means a contract entered into with the Crown for any purpose, and includes any contract for:
> >
> > (a) the supply to or by the Crown of any goods or services;

(3) In this section and in sections 16 and 17, a member participates in a government contract where the member:

(a) is, or has a right to become, in the member's personal capacity, a party to or beneficially interested in the contract; or
(b) is a shareholder, partner, director, manager or officer of, or has an interest in, a business that:

(i) is, or has a right to become, a party to or benefically interested in the contract; or
(ii) has a subsidiary which is, or has a right to become, a party to or beneficially interested in the contract.

(5) Except as specifically provided in this or any other *Act*, no member shall participate in a government contract.

(6) The prohibition in subsection (5) does not apply to:

(a) a government contract that is not subject to the discretion of any individual, where the standard terms and conditions of eligibility are objective in nature and prescribed in an Act or regulation; or
(b) a government contract that is exempted by the regulations from the application of this section.

16(1) A member may apply to the commissioner for approval to participate in a government contract.

(2) The commissioner may approve a member's participation in a government contract, if, in the opinion of the commissioner:

(a) the consideration and terms of the government contract are fair and reasonable; and
(b) it is not contrary to the public interest to allow the member to participate.

The contract in question is a "government contract" within the meaning of Section 15(1). Section 15(5) is then applicable, it setting forth the proposition that, except as provided in legislation, "no member shall participate in a government contract". The exemptions provided by Section 15(6) are not applicable in this case.

Mr. Tochor had initially applied for an exemption under Section 16(1) of the *Act*. The application has since been withdrawn as Mr. Tochor has indicated that it is his intention to sell the business. He has asked for a further continuation of the agreement to give him sufficient time to arrange for the sale.

I intend to approve the extension of the contractual arrangement until September 30, 2012 in order to give Mr. Tochor sufficient time to negotiate a sale.

In my view, it is in the public interest to permit the extension. Mr. Tochor was not an M.L.A. when he entered into the initial contract and it was with the previous government. He also provided good services to the Department of Health under the contract. Furthermore, the terms of the government contract were fair and reasonable.

Dated this 1st day of June, 2012

SASKATCHEWAN
CONFLICT OF INTEREST
COMMISSIONER

Hon. Ronald. L. Barclay, Q.C.
150 – 2401 Saskatchewan Drive
Regina, Saskatchewan
S4P 4H8

Tel: (306) 787-8351
Fax: (306) 787-9090

July 12, 2013

Responsibility for the Financial Statements

The accompanying financial statements are the responsibility of the Office of the Conflict of Interest Commissioner (Office). The financial statements have been prepared in accordance with Canadian public sector accounting standards.

The Office maintains appropriate systems of internal control, including policies and procedures which provide reasonable assurance that the Office's assets are safeguarded and that financial records are relevant and reliable.

The Provincial Auditor of Saskatchewan conducts an independent audit of the financial statements. Her examination is conducted in accordance with Canadian generally accepted auditing standards and includes tests and other procedures which allow her to report on the fairness of the financial statements.

Ronald L. Barclay, Q.C.
Saskatchewan Conflict of Interest Commissioner

PROVINCIAL AUDITOR
of Saskatchewan

INDEPENDENT AUDITOR'S REPORT

To: The Members of the Legislative Assembly of Saskatchewan

I have audited the accompanying financial statements of the Office of the Conflict of Interest Commissioner, which comprise the statement of financial position as at March 31, 2013, and the statements of operations and accumulated surplus, changes in net assets and cash flows for the year then ended, and a summary of significant accounting policies and other explanatory information.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with Canadian public sector accounting standards and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

My responsibility is to express an opinion on these financial statements based on my audit. I conducted my audit in accordance with Canadian generally accepted auditing standards. Those standards require that I comply with ethical requirements and plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my audit opinion.

Opinion

In my opinion, the financial statements present fairly, in all material respects, the financial position of the Office of the Conflict of Interest Commissioner as at March 31, 2013, and the results of its operations, changes in its net assets, and its cash flows for the year then ended in accordance with Canadian public sector accounting standards.

Regina, Saskatchewan
July 12, 2013

Bonnie Lysyk, MBA, CA
Provincial Auditor

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OFFICE OF THE CONFLICT OF INTEREST COMMISSIONER

FINANCIAL STATEMENTS

For the Year Ended March 31, 2013

Statement 1

OFFICE OF THE CONFLICT OF INTEREST COMMISSIONER
STATEMENT OF FINANCIAL POSITION
AS AT MARCH 31

	2013	2012
Financial assets		
Due from General Revenue Fund	$ 80	$ 75
Liabilities		
Accounts payable and accrued liabilities	80	75
Net assets (Statement 3)		
Non-financial assets		
Tangible capital assets (Note 3)	3,862	5,793
Accumulated surplus (Statement 2)	$ 3,862	$ 5,793

(See accompanying notes to the financial statements)

OFFICE OF THE CONFLICT OF INTEREST COMMISSIONER
STATEMENT OF OPERATIONS AND ACCUMULATED SURPLUS
FOR THE YEAR ENDED MARCH 31

	2013 Budget (Note 4)	2013 Actual	2012 Actual
Revenues			
General Revenue Fund - Appropriation	$ 145,000	$ 130,928	$ 128,079
Expenses			
Salaries	114,000	113,619	111,088
Office rent	11,000	10,298	11,743
Amortization	-	1,931	6,457
Advertising and printing	1,000	1,772	1,002
Travel	3,700	1,503	1,530
Telephone	1,500	1,142	813
Other	5,900	1,210	839
Legal services	6,300	599	-
Supplies and equipment rental	1,600	785	1,064
Total expenses	145,000	132,859	134,536
Operating (Deficit) Surplus for the year	$ -	$ (1,931)	$ (6,457)
Accumulated surplus, beginning of year		5,793	12,250
Accumulated surplus, end of year (Statement 1)		$ 3,862	$ 5,793

(See accompanying notes to the financial statements)

OFFICE OF THE CONFLICT OF INTEREST COMMISSIONER
STATEMENT OF CHANGES IN NET ASSETS
FOR THE YEAR ENDED MARCH 31

	2013	2012
Operating (Deficit) surplus for the year	$ (1,931)	$ (6,457)
Acquisition of tangible capital assets	-	-
Amortization of tangible capital assets	1,931	6,457
	1,931	6,457
Increase in net assets	-	-
Net assets, beginning of year	-	-
Net assets, end of year (Statement 1)	$ -	$ -

(See accompanying notes to the financial statements)

OFFICE OF THE CONFLICT OF INTEREST COMMISSIONER
STATEMENT OF CASH FLOWS
FOR THE YEAR ENDED MARCH 31

	2013	2012
Cash from (used in) operating activities:		
General Revenue Fund appropriation received	$ 130,924	$ 129,521
Salaries paid	(113,619)	(111,088)
Supplies and other expenses paid	(17,305)	(18,433)
	(130,924)	(129,521)
Cash from (used in) operating activities	-	-
Cash from (used in) capital activities:		
Purchase of tangible capital assets	-	-
Cash from (used in) capital activities	-	-
Increase (decrease) in cash and cash equivalents	-	-
Cash and cash equivalents, beginning of year	-	-
Cash and cash equivalents, end of year	$ -	$ -

(See accompanying notes to the financial statements)

OFFICE OF THE CONFLICT OF INTEREST COMMISSIONER
NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED MARCH 31, 2013

1. Authority and Description of Operations

The Members' Conflict of Interest Act establishes the Office of the Conflict of Interest Commissioner. The Commissioner is an officer of the Legislative Assembly and is appointed by resolution of the Assembly. The mandate of the Office is to coordinate disclosure of assets held by Members, provide advice on conflict of interest issues, conduct inquiries and provide opinions on compliance with the *Members' Conflict of Interest Act* if requested by a Member, the President of Executive Council or the Legislative Assembly.

2. Significant Accounting Policies

The Office uses Canadian public sector accounting standards to prepare its financial statements. These statements do not include a Statement of Remeasurement gains or losses as the Office has no activities that give rise to remeasurement gains or losses. As a result, its accumulated surplus is the same as its accumulated operating surplus. The following accounting policies are considered to be significant.

(a) Revenue

The Office receives an appropriation from the Legislative Assembly to carry out its work. General Revenue Fund appropriations are included in revenue when amounts are spent or committed.

(b) Tangible capital assets

Tangible capital assets are reported at cost less accumulated amortization. Tangible capital assets are amortized on a straight-line basis over a life of five years except for leasehold improvements which are amortized over two years.

(c) Application of New Accounting Standards

Effective April 1, 2012, the Office applied the following standards on a prospective basis. The application of these standards have had no effect on these financial statements.

i) PS1201 - Financial Statement Presentation
ii) PS2601 - Foreign Currency Translation
iii) PS3450 - Financial Instruments

3. Tangible Capital Assets

	Computer Hardware	Equipment & Furniture	Leasehold Improvements	Total 2013	Total 2012
Cost, April 1	$ 1,011	$ 8,644	$ 9,050	$ 18,705	$ 18,705
Additions	-	-	-	-	-
Disposals	-	-	-	-	-
Cost, March 31	1,011	8,644	9,050	18,705	18,705
Accumulated Amortization April 1	(404)	(3,458)	(9,050)	(12,912)	(6,456)
Amortization	(202)	(1,729)	-	(1,931)	(6,456)
Adjustment for disposals	-	-	-	-	-
Accumulated Amortization March 31	(606)	(5,187)	(9,050)	(14,843)	(12,912)
Net Book Value, March 31	$ 405	$ 3,457	$ -	$ 3,862	$ 5,793

4. Budget

These amounts represent funds approved by the Legislative Assembly to enable the Commissioner to carry out his duties under *The Members' Conflict of interest Act* . The Office's expenses are limited to the amount appropriated to it by the Legislative Assembly.

The amount appropriated for the year was $145,000.

5. Lapsing of appropriation

The Office follows *The Financial Administration Act, 1993* with regards to its spending. If the Office spends less than its appropriation by March 31, the difference is not available to acquire goods and services in the next fiscal year.

6. Costs borne by other agencies

The Office has not been charged with certain administrative costs and employee benefit costs. These costs are borne by the Legislative Assembly and the Ministry of Finance. No provision for these costs has been made in these financial statements.

7. Financial Instruments

The Office's financial instruments include Due from the General Revenue Fund and accounts payable and accrued liabilities. The carrying amount of these instruments approximates fair value due to their immediate or short-term maturity. These instruments have no significant interest rate and credit risk.

BUDGET FOR 2013-2014

The estimated budget for 2013-2014 is the sum of $148.180.

	ESTIMATES 2013-2014
Personal Services	$116,280
Contractual Services	$ 23,100
Advertising	$ 500
Travel and Business	$ 5,700
Supplies and Services	$ 1,600
Equipment and Other Assets	$ 1,000
TOTAL	**$148,180**

EXPRESSION OF APPRECIATION

I wish to express my appreciation to Deb Zick my previous executive assistant who retired from public service in September 2012 after over 35 years of public service, to Beverley Yuen, my current executive assistant and to Ron Samways from the Clerk of the Legislative Assembly Office for their assistance. Our achievements could not have been possible without their dedication and contributions. I extend my sincere thanks to each of them for their valuable service.

The persons that are employed in the offices of the Speaker, the Clerk of the Legislative Assembly and Financial Services have also been of great assistance to me. Their help has been invaluable and I express my sincere thanks to all of them.

APPENDIX

The Members' Conflict of Interest Act

being

Chapter M-11.11* of the *Statutes of Saskatchewan, 1993* (consult Table of Saskatchewan Statutes for effective date) as amended by the *Statutes of Saskatchewan*, 1998, c.P-42.1; 2002, c.52; 2004, c.65; 2005, c.L-11.2; and 2007, c.6.

*NOTE: Pursuant to subsection 33(1) of *The Interpretation Act, 1995*, the Consequential Amendment sections, schedules and/or tables within this Act have been removed. Upon coming into force, the consequential amendments contained in those sections became part of the enactment(s) that they amend, and have thereby been incorporated into the corresponding Acts. Please refer to the Separate Chapter to obtain consequential amendment details and specifics.

NOTE:

This consolidation is not official and is subject to House amendments and Law Clerk and Parliamentary Counsel changes to Separate Chapters that may be incorporated up until the publication of the annual bound volume. Amendments have been incorporated for convenience of reference and the official Statutes and Regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the official Statutes and Regulations, errors that may have appeared are reproduced in this consolidation.

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36 S.S. 1979, c.L-11.1 amended

37 R.S.S. 1978, c.P-42, section 50 amended

38 S.S. 1979, c.M-11.2 repealed

Editorial Appendix (Amendments)

CHAPTER M-11.11

An Act respecting the Conduct of Members of the Legislative Assembly and Members of the Executive Council, respecting Conflicts of Interest and to enact Consequential Amendments resulting from the enactment of this Act

SHORT TITLE AND INTERPRETATION

Short title

1 This Act may be cited as *The Members' Conflict of Interest Act*.

Interpretation

2(1) In this Act:

(a) **"associate"** means, with respect to a member:

(i) a corporation having share capital and carrying on business or activities for profit or gain, where the member is a director or senior officer of the corporation;

(ii) a private corporation carrying on business or activities for profit or gain, where the member owns or is the beneficial owner of shares of the corporation;

(iii) a partnership having not more than 20 persons:

(A) of which the member is a partner; or

(B) of which one of the partners is a corporation directly associated with the member by reason of subclause (i) or (ii);

(iv) a person or group of persons acting as the agent of the member and having actual authority in that capacity from the member;

(b) **"business"** means a corporation, proprietorship, partnership or other association of persons;

(c) **"commissioner"** means the conflict of interest commissioner appointed pursuant to section 18;

(d) **"Crown"** means Her Majesty the Queen in right of Saskatchewan and includes departments, secretariats and offices of the Government of Saskatchewan and Crown corporations, including corporations in which the Government of Saskatchewan owns a majority of shares;

(e) **"family"**, with respect to a member, means the member's spouse and dependent children;

(f) **"land"** includes any right, title, estate or interest in land and a profit à prendre with respect to land;

(g) **"member"** means:

(i) a member of the Assembly; or

(ii) a member of the Executive Council;

(h) **"private interest"** does not include an interest in a decision:

(i) that is of general public application;

(ii) that affects a person as one of a broad class of persons; or

(iii) that concerns the remuneration and benefits of a member or an officer or employee of the Assembly;

(i) **"Speaker"** means the member elected as Speaker of the Assembly in accordance with *The Legislative Assembly and Executive Council Act, 2007*;

(j) **"spouse"** means a person who is the member's spouse within the meaning of *The Family Maintenance Act* but does not include a person to whom the member is married if the member and that person are living separate and apart.

(2) For the purposes of this Act, where a person who ceases to be a member of the Assembly by reason of the dissolution of the Assembly again becomes a member as a result of the next following election, that person is deemed to have been a member of the Assembly during the period of time the person ceased to be a member to the time the person again became a member.

1993, c.M-11.11, s.2; 2005, c.L-11.2, s.97; 2007, c.6, s.2.

CONDUCT OF MEMBERS

Conflict of interest

3 For the purposes of this Act, a member has a conflict of interest when the member makes a decision or participates in making a decision in the execution of his or her office and at the same time knows that in the making of the decision there is the opportunity to further his or her private interest, his or her family's private interest or the private interest of an associate.

1993, c.M-11.11, s.3.

Inside Information

4 A member shall not use information that is gained in the execution of his or her office and is not available to the general public to further or to seek to further the member's private interest, his or her family's private interest or the private interest of an associate.

1993, c.M-11.11, s.4.

Influence

5 A member shall not use his or her office to seek to influence a decision made by another person to further the member's private interest, his or her family's private interest or the private interest of an associate.

1993, c.M-11.11, s.5.

Activities on behalf of public

6 This Act does not prohibit the activities in which members normally engage on behalf of members of the public.

1993, c.M-11.11, s.6.

Accepting extra benefits

7(1) Neither a member nor any of the member's family shall accept a fee, gift or personal benefit, except compensation authorized by law, that is connected directly or indirectly with the performance of the member's duties of office.

(2) Subsection (1) does not apply to a gift or personal benefit that is received as an incident of the protocol or social obligations that normally accompany the responsibilities of office.

(3) Where a gift or personal benefit mentioned in subsection (2) is greater than $200 in value, or where the total value received directly or indirectly from one source in any 12-month period is greater than $200, the member shall immediately file with the commissioner a disclosure statement.

(4) The disclosure statement required pursuant to subsection (3) shall:

(a) be in the form prescribed by the regulations; and

(b) indicate the nature of the gift or benefit, its source and the circumstances under which it was given and accepted.

1993, c.M-11.11, s.7.

Limitation on contracts or benefits for former member of Executive Council

8(1) In this section and in section 34:

(a) **"associate"**, with respect to a former member, means:

(i) a partner of the former member; or

(ii) a corporation, if the former member is an officer or director of the corporation or a shareholder holding 10% or more of voting shares having the right to elect the board of directors of the corporation;

(b) **"government decision-maker"** means:

(i) the Executive Council;

(ii) a member of the Executive Council; or

(iii) an employee of:

(A) a department, secretariat or office of the Government of Saskatchewan;

(B) a Crown corporation; or

(C) a corporation in which the Government of Saskatchewan owns a majority of shares.

(2) No government decision-maker shall knowingly:

(a) award a contract to, approve a contract with, or grant a benefit to a former member of the Executive Council until 12 months have passed after the date the former member ceased to hold office;

(b) award a contract to, approve a contract with, or grant a benefit to a former member of the Executive Council who has, during the 12 months after the date the former member ceased to hold office, made representations to the government decision-maker with respect to the contract or benefit;

(c) award a contract to, approve a contract with, or grant a benefit to a person on whose behalf a former member of the Executive Council has, during the 12 months after the date the former member ceased to hold office, made representations to the government decision-maker with respect to the contract or benefit; or

(d) award a contract to, approve a contract with, or grant a benefit to an associate of a former member of the Executive Council until 12 months have passed after the date the former member ceased to hold office.

(3) Subsection (2) does not apply to contracts of employment with respect to further duties in the service of the Crown.

(4) Subsection (2) does not apply if the conditions on which a contract or benefit is awarded, approved or granted are the same for all persons similarly entitled.

(5) Subsection (2) does not apply to a contract or benefit if the commissioner has granted an exemption pursuant to subsection 34(5) with respect to that contract or benefit or class of contracts or benefits.

2002, c.52, s.3.

Carrying on business

9(1) If, in the opinion of the commissioner, a conflict with official duties and responsibilities is likely to result or to be seen to result, a member of the Executive Council shall not:

(a) engage in any trade, occupation or employment or in the practice of any profession;

(b) manage or operate a business;

(c) hold an office or directorship in any corporation, organization or association.

(2) A person who becomes a member of the Executive Council shall fully disclose his or her affairs to the commissioner in order to comply with subsection (1) within 90 days following his or her appointment.

(3) Persons who are members of the Executive Council when this section comes into force shall fully disclose their affairs to the commissioner in order to comply with subsection (1) within 90 days of the coming into force of this section.

(4) The commissioner may extend the period mentioned in subsection (2) or (3) by giving the member written notice to that effect, and may impose any terms and conditions on the extension that the commissioner considers just.

(5) The commissioner shall file with the Clerk of the Assembly a copy of any notice given and any terms and conditions imposed pursuant to subsection (4), and the Clerk shall make the copy of the notice and the terms and conditions available for public inspection at the office of the Clerk during normal business hours of the Clerk.

(6) A member of the Executive Council may apply to the commissioner for advice respecting compliance with this section.

(7) On receipt of an application pursuant to subsection (6), the commissioner:

(a) shall advise the member respecting compliance with this section; and

(b) may issue directions to the member respecting compliance with this section.

(8) If a member of the Executive Council complies with subsection (1) by entrusting his or her business to one or more trustees:

(a) the provisions of the trust shall be approved by the commissioner;

(b) the trustees shall be persons who are at arm's length with the member and are approved by the commissioner;

(c) the trustees shall not consult with the member with respect to managing the trust property; and

(d) the trustees shall report all material changes in assets, liabilities and financial interests contained in the trust to the member and the commissioner, in writing, immediately after the changes have occurred.

(9) For the purpose of this section, the management of routine personal financial interests does not constitute managing or operating a business.

1993, c.M-11.11, s.9.

Procedure on conflict of interest

10(1) A member who has reasonable grounds to believe that he or she has a conflict of interest in a matter that is before the Assembly or the Executive Council, or a committee of either of them, shall, if present at a meeting considering the matter:

(a) disclose the general nature of the conflict of interest; and

(b) withdraw from the meeting without voting or participating in consideration of the matter.

(2) A member of the Executive Council or a legislative secretary appointed pursuant to *The Government Organization Act*, who has reason to believe that he or she has a conflict of interest with respect to a matter that requires that member's or that legislative secretary's decision, shall report that possible conflict to the President of the Executive Council.

(3) On receipt of a report pursuant to subsection (2):

(a) the President of the Executive Council shall appoint another member of the Executive Council to perform the member's or the legislative secretary's duties with respect to the matter; and

(b) the other member of the Executive Council appointed pursuant to clause (a) may act in the matter for the period of time necessary for the purpose.

1993, c.M-11.11, s.10.

DISCLOSURE

Disclosure statement

11(1) Every member shall file with the commissioner a disclosure statement in the form prescribed by the regulations.

(2) The disclosure statement mentioned in subsection (1) shall be filed:

(a) in the case of a member who is in office when this section comes into force, within 90 days of this section coming into force;

(b) in the case of a member who is elected, within 90 days of being elected.

(3) After filing a disclosure statement in accordance with subsection (2), the member shall file a disclosure statement annually, but not later than March 31 in each year.

(4) The disclosure statement mentioned in subsection (1) shall contain:

(a) a statement of the assets, liabilities and financial interests of the member, of the member's family and of any private companies that are controlled by all or any of them;

(b) a statement of the income of the member, of the member's family and of any private companies that are controlled by all or any of them and the sources of that income;

(c) a statement of any directorships or offices held by the member or any of the member's family in the 12 months preceding the date of the statement;

(d) a statement of any business managed or operated by the member or any of the member's family in the 12 months preceding the date of the statement;

(e) a statement of any government contract, as defined in section 15, in which the member or any of the member's family is participating;

(f) any other information that is directed by the commissioner.

(5) After filing a disclosure statement pursuant to this section, the member, and the member's spouse if available, shall consult with the commissioner:

(a) to ensure that adequate disclosure has been made; or

(b) to obtain advice and direction on the member's obligations under this Act.

(6) Notwithstanding subsections (1) to (5), if a member has previously filed a disclosure statement pursuant to subsection (1) and the commissioner is satisfied that there has been no or only minimal material change to the content of the member's disclosure statement, the commissioner may authorize the member to submit a declaration in the prescribed form that:

(a) declares that no material change has occurred since the last disclosure statement was filed pursuant to this section; or

(b) details the material changes since the last disclosure statement was filed pursuant to this section.

1993, c.M-11.11, s.11; 2002, c.52, s.4; 2004, c.65, s.17.

Public disclosure statement

12(1) After consulting with the member and the member's spouse if available, the commissioner shall:

(a) review the disclosure statement filed pursuant to section 11; and

(b) if the commissioner is satisfied that the disclosure statement complies with this Act and the regulations, prepare and file with the Clerk of the Assembly a public disclosure statement.

(2) The commissioner shall file with the Clerk of the Assembly the public disclosure statement as soon as is practicable, but not later than the June 30 following the filing of the member's disclosure statement pursuant to section 11.

(3) The Clerk of the Assembly shall make each public disclosure statement filed pursuant to subsection (2) available for public inspection during the normal business hours of the office of the Clerk of the Assembly.

1993, c.M-11.11, s.12.

Contents of public disclosure statement

13(1) Subject to the regulations, a public disclosure statement required pursuant to section 12 shall include:

(a) the name and the address of the registered office of each corporation in which the member, any of the member's family or a trustee of the member holds any shares, share warrants or share purchase options;

(b) the name and the address of each business from which the member or any of the member's family receives remuneration for services as an employee, officer, director, trustee, partner or owner;

(c) the names and addresses of all sole proprietorships or partnerships in which the member or any of the member's family has an interest;

(d) the name and the address of each corporation, organization or association of which the member or any of the member's family is an officer or director;

(e) the name and the address of each organization or association in which the member holds a membership;

(f) the identity of bonds and debentures with a value greater than $2,000 held by the member or any of the member's family, other than Treasury Bills or bonds issued by the Government of Canada, the government of any province or territory of Canada or any municipal government in Canada;

(g) the identity of investment funds, mutual funds, investment trusts or similar securities of which the member or any of the member's family hold more than $2,000, other than:

(i) registered retirement savings plans, other than self-directed plans;

(ii) registered home ownership savings plans;

(iii) registered education savings plans;

(iv) accounts and term deposits held in banks listed in Schedule I or II to the *Bank Act* (Canada) or in any other financial institutions in Saskatchewan that are lawfully entitled to accept deposits;

(v) pension plans;

(vi) insurance policies;

(h) the municipal address or legal description of any real property, inside or outside Saskatchewan, that the member or any of the member's family has any interest in or title or right to;

(i) the identity of and the extent of the member's or any of the member's family's participation in any government contract as defined in section 15;

(j) the identity and the extent of any gift or benefit received by the member or by any of the member's family and mentioned in a disclosure statement filed pursuant to subsection 7(3);

(k) the identity of any grant or subsidy from the Crown that was received by the member, any of the member's family or any business mentioned in clause (b), other than a grant or subsidy that is paid:

(i) pursuant to a government contract; or

(ii) pursuant to an Act or regulation where the awarding of the grant or subsidy is not subject to the discretion of any individual and the standard terms and conditions of eligibility are objective in nature and are prescribed in an Act or regulation; and

(l) any other information that may be directed by the commissioner.

(2) Subject to subsection (3), the value or amount of any items required to be in a public disclosure statement shall not be disclosed.

(3) The commissioner shall include the value or amount of an item required to be in a public disclosure statement if, in the opinion of the commissioner, knowledge of the value or amount is necessary to protect the public interest.

(4) Notwithstanding subsection (1), the commissioner may exclude from a public disclosure statement a source of income received by the member's spouse or child if, in the opinion of the commissioner, the possibility of harm to the business of the member's spouse or child justifies the departure from the general principle of public disclosure.

(5) Notwithstanding subsection (1), the commissioner may exclude from a public disclosure statement the name and address of a corporation, organization or association of which any of a member's family is an officer or director if, in the opinion of the commissioner, the exclusion is a justifiable departure from the general principle of public disclosure.

(6) If the commissioner authorizes a member to submit a declaration pursuant to subsection 11(6):

(a) the commissioner may use the declaration in preparing a public disclosure statement for the member; and

(b) subsections (1) to (5) apply, with any necessary modification, to the declaration and the commissioner's dealings with the declaration.

1993, c.M-11.11, s.13; 2002, c.52, s.5.

Certain information confidential

14(1) Subject to subsections (2) and (3), any information included in a member's disclosure statement filed pursuant to section 11 and not included in the member's public disclosure statement prepared pursuant to section 12 is confidential and shall not be disclosed to any person other than the member to whom the information relates or the commissioner.

(2) Notwithstanding subsection (1), the commissioner may disclose, in an opinion prepared pursuant to this Act, any information that the commissioner considers necessary to disclose in order to establish grounds for the findings and recommendations in the opinion.

(3) Notwithstanding subsection (1), the commissioner may disclose to the Attorney General for Saskatchewan or the Attorney General for Canada information that relates to the commission of an offence against:

(a) an Act or regulation; or

(b) an Act of the Parliament of Canada or a regulation made pursuant to an Act of the Parliament of Canada.

1993, c.M-11.11, s.14.

GOVERNMENT CONTRACTS

Prohibition of participation in government contracts

15(1) In this section and in sections 16 and 17, **"government contract"** means a contract entered into with the Crown for any purpose, and includes any contract for:

(a) the supply to or by the Crown of any goods or services;

(b) the sale, lease or other disposition of any real property to or by the Crown;

(c) the construction of any public work for the Crown;

(d) the determination of compensation or damages with respect to real property taken, damaged or purchased by the Crown;

(e) the determination of compensation or damages to be paid by the Crown in cases not provided for in clause (d); or

(f) the lending of moneys to or by the Crown.

(2) Notwithstanding subsection (1), a government contract does not include any contract that gives rise to the status of those persons described in section 14 of *The Legislative Assembly and Executive Council Act, 2007*.

(3) In this section and in sections 16 and 17, a member participates in a government contract where the member:

(a) is, or has a right to become, in the member's personal capacity, a party to or beneficially interested in the contract; or

(b) is a shareholder, partner, director, manager or officer of, or has an interest in, a business that:

(i) is, or has a right to become, a party to or beneficially interested in the contract; or

(ii) has a subsidiary which is, or has a right to become, a party to or beneficially interested in the contract.

(4) For the purpose of this section, a creditor of a business whose indebtedness was incurred other than in the ordinary course of trade has an interest in that business to the extent of that indebtedness.

(5) Except as specifically provided in this or any other Act, no member shall participate in a government contract.

(6) The prohibition in subsection (5) does not apply to:

(a) a government contract that is not subject to the discretion of any individual, where the standard terms and conditions of eligibility are objective in nature and are prescribed in an Act or regulation; or

(b) a government contract that is exempted by the regulations from the application of this section.

1993, c.M-11.11, s.15; 2005, c.L-11.2, s.100; 2007, c.6, s.2.

Exemption from prohibition

16(1) A member may apply to the commissioner for approval to participate in a government contract.

(2) The commissioner may approve a member's participation in a government contract, if, in the opinion of the commissioner:

(a) the consideration and terms of the government contract are fair and reasonable; and

(b) it is not contrary to the public interest to allow the member to participate.

(3) The commissioner may impose any terms and conditions that the commissioner considers appropriate on an approval given pursuant to subsection (2).

(4) Notwithstanding section 15, a member may participate in a government contract if:

(a) the commissioner has given his or her approval pursuant to this section; and

(b) the member complies with the terms and conditions, if any, imposed by the commissioner on the approval.

1993, c.M-11.11, s.16.

Exception re government contracts

17(1) A member does not contravene section 11 or 15 if the member:

(a) was not aware of the existence of the government contract; and

(b) cannot be reasonably expected to have been aware of the existence of the government contract.

(2) Within 90 days after becoming aware of the member's participation in a government contract, the member shall comply with sections 11 and 15.

1993, c.M-11.11, s.17.

COMMISSIONER

Commissioner

18(1) The office of conflict of interest commissioner is established.

(2) The commissioner is an officer of the Assembly.

(3) The commissioner shall be appointed by resolution of the Assembly.

(4) Subject to sections 19 and 20, the commissioner holds office for a term of not more than five years from the day of appointment and may be reappointed.

(5) The commissioner may resign the office at any time by giving written notice:

(a) to the Speaker; or

(b) if there is no Speaker or if the Speaker is absent from Saskatchewan, to the President of the Executive Council.

1993, c.M-11.11, s.18.

Removal and suspension

19(1) The Assembly may, by resolution, remove the commissioner from office or suspend the commissioner.

(2) Where the commissioner is suspended pursuant to subsection (1), the Assembly, by resolution, shall appoint an acting commissioner to hold office until:

(a) the suspension is revoked by the Assembly; or

(b) the commissioner is removed from office by the Assembly pursuant to subsection (1) and a person is appointed as commissioner pursuant to section 18.

1993, c.M-11.11, s.19.

Suspension when Legislature not in session

20(1) Where the Legislature is not in session, the Board of Internal Economy may suspend the commissioner for incapacity to act, neglect of duty, or misconduct that is proved to the satisfaction of the Board of Internal Economy.

(2) No suspension imposed pursuant to subsection (1) continues past the end of the next session of the Legislature.

(3) Where the office of the commissioner is vacant or the commissioner is suspended pursuant to subsection (1), the Board of Internal Economy shall appoint an acting commissioner to hold office until:

(a) a person is appointed as commissioner pursuant to section 18;

(b) the suspension is revoked by the Assembly; or

(c) the commissioner is removed from office by the Assembly pursuant to subsection 19(1) and a person is appointed as commissioner pursuant to section 18.

1993, c.M-11.11, s.20.

Acting commissioner

21 Where the commissioner has resigned or is ill or otherwise unable to act, the Board of Internal Economy may appoint another person as acting commissioner until:

(a) the commissioner is able to act; or

(b) another commissioner is appointed pursuant to this Act.

1993, c.M-11.11, s.21.

Salary

22 The commissioner is entitled to be paid:

(a) a salary to be fixed by the Board of Internal Economy; and

(b) an allowance for travelling and other expenses incurred in the performance of the duties of the commissioner at a rate approved by the Board of Internal Economy.

1993, c.M-11.11, s.22.

Application of certain Acts

23(1) *The Public Service Act, 1998* does not apply to the commissioner.

(2) *The Public Service Superannuation Act* applies to the commissioner.

1993, c.M-11.11, s.23; 1998, c.P-42.1, s.42.

Staff

24(1) Subject to subsection (2), the commissioner may, with the consent of the Speaker, use any employee of the Assembly as staff.

(2) Any officer of the Assembly may consent to act as staff for the commissioner where, in the officer's opinion, to do so will not unduly interfere with the officer's duties to the Assembly.

1993, c.M-11.11, s.24.

Annual report

25(1) In accordance with *The Tabling of Documents Act, 1991*, the commissioner shall in each year submit to the Speaker an annual report describing the progress and activities of the commissioner in the previous year.

(2) In accordance with *The Tabling of Documents Act, 1991*, the Speaker shall lay before the Assembly each report received by the Speaker pursuant to subsection (1).

1993, c.M-11.11, s.25.

Non-compellability

26(1) The commissioner is neither competent nor compellable to:

(a) give evidence in any civil proceeding concerning any information that comes to the knowledge of the commissioner in the exercise of the powers, performance of the duties or carrying out of the functions of the commissioner pursuant to this Act; or

(b) produce any files, papers, information, reports, correspondence or other documents relating to the business or activities of the commissioner.

(2) Subsection (1) applies, with any necessary modification, to the staff of the commissioner.

1993, c.M-11.11, s.26.

Commissioner's opinion and advice

27(1) A member may request that the commissioner give an opinion and recommendation on any matter respecting the obligations of the member under this Act.

(2) The commissioner may make those inquiries that the commissioner considers appropriate to provide the member with a written opinion and recommendations.

(3) The opinion and recommendations of the commissioner are confidential, but may be released by the member or with the written consent of the member.

1993, c.M-11.11, s.27.

Immunity

28 No action lies or shall be instituted against the commissioner, the staff of the commissioner or any person employed or engaged by the commissioner and no action lies or shall be instituted against any member of the public service where the commissioner, the staff, person or member of the public service is acting pursuant to the authority of this Act, the regulations or an order made pursuant to this Act, for any loss or damages suffered by any person for reason of anything in good faith done, caused, permitted or authorized to be done, attempted to be done or omitted to be done, by any of them, pursuant to or in exercise of or in supposed exercise of any power conferred by this Act or the regulations or in the carrying out or supposed carrying out of any order made pursuant to this Act or any duty imposed by this Act or the regulations.

1993, c.M-11.11, s.28.

INQUIRIES

Referral of opinion

29(1) A member who has reasonable and probable grounds to believe that another member is in contravention of this Act may request, by application in writing setting out the grounds for the belief and the nature of the contravention alleged, that the commissioner give an opinion respecting the compliance of the other member with the provisions of this Act.

(2) A member who makes a request for an opinion pursuant to subsection (1) shall promptly provide the member who is the subject of the request with a copy of the application.

(3) The Assembly may request, by resolution, that the commissioner give an opinion on any matter respecting the compliance of a member with the provisions of this Act.

(4) The President of the Executive Council may request that the commissioner give an opinion on any matter including the compliance of a member of the Executive Council with the provisions of this Act.

(5) Where a matter has been referred to the commissioner under subsection (1) or (3), the Assembly or a committee of it shall not conduct an inquiry into the matter until it has received the opinion of the commissioner.

1993, c.M-11.11, s.29; 2002, c.52, s.6.

Inquiry and report

30(1) The commissioner may conduct an inquiry:

(a) on receiving a request under section 29; or

(b) where the commissioner considers it to be advisable respecting the compliance of a member with the provisions of this Act.

(2) The commissioner shall provide the member who is the subject of the inquiry with reasonable notice of an inquiry pursuant to subsection (1).

(3) For the purposes of an inquiry under this section, the commissioner has all the powers conferred on a commissioner pursuant to *The Public Inquiries Act*.

(4) Where the request for an opinion is made pursuant to subsection 29(1) or (3), the commissioner shall report his or her opinion to the Speaker and to the member who is the subject of the opinion.

(4.1) If the commissioner has conducted an inquiry pursuant to clause (1)(b), the commissioner shall report his or her opinion to:

(a) the Speaker; and

(b) the member who is the subject of the opinion.

(5) On receipt of an opinion pursuant to subsection (4) or (4.1), the Speaker shall lay the opinion before the Assembly as soon as is practicable.

(6) Where the request for an opinion is made under subsection 29(4), the commissioner shall report his or her opinion to the President of the Executive Council.

(7) In conducting an inquiry pursuant to this section, the commissioner may comment with respect to the conduct of:

(a) former members of the Assembly; and

(b) former or current employees in the public service within the meaning of *The Public Service Act, 1998* or former or current employees of a Crown corporation.

1993, c.M-11.11, s.30; 2002, c.52, s.7.

Penalties

31(1) Where the commissioner conducts an inquiry for the purposes of subsection 30(1) and finds that the member has contravened any provision of this Act, the commissioner may recommend in the report that is laid before the Assembly:

(a) that the member be ordered to comply with the Act on those terms and conditions the Assembly considers appropriate;

(b) that the member be reprimanded;

(c) that the Assembly impose a fine on a member in an amount determined by order of the Assembly;

(d) that the member be suspended; or

(e) that the member's seat be declared vacant.

(2) The Assembly shall consider the commissioner's report and respond to it as subsection (3) provides within 40 sitting days of the day the report is laid before the Assembly.

(3) The Assembly may:

(a) order the imposition of the recommendation of the commissioner under subsection (1);

(b) impose all or any of the measures mentioned in clauses (1)(a) to (e); or

(c) reject the recommendation.

(4) Division 5 of Part II of *The Legislative Assembly and Executive Council Act, 2007* applies to the proceedings under this section.

1993, c.M-11.11, s.31; 2005, c.L-11.2, s.100; 2007, c.6, s.2 and 4.

Opinion on conduct of members

32(1) The Assembly may request, by resolution, that the commissioner give an opinion on any matter that relates to the conduct of a member and that is in addition to the compliance of the member with the provisions of this Act.

(2) The President of the Executive Council may request that the commissioner give an opinion on any matter that relates to the conduct of a member of the Executive Council and that is in addition to the compliance of the member of the Executive Council with the provisions of this Act.

(3) Where a matter has been referred to the commission under subsection (1), the Assembly shall not conduct an inquiry into the matter until it has received the opinion of the commissioner.

1993, c.M-11.11, s.32.

Inquiry and report

33(1) The commissioner may conduct an inquiry on receiving a request under section 32.

(2) The commissioner shall provide the member concerned with reasonable notice of an inquiry pursuant to subsection (1).

(3) For the purposes of an inquiry under this section, the commission has all the powers conferred on a commissioner pursuant to *The Public Inquiries Act*.

(4) Where the request for an opinion is made under subsection 32(1), the commissioner shall report his or her opinion to the Speaker.

(5) On receipt of an opinion pursuant to subsection (4), the Speaker shall lay the opinion before the Assembly as soon as is practicable.

(6) Where the request for an opinion is made under subsection 32(2), the commissioner shall report his or her opinion to the President of the Executive Council.

(7) In conducting an inquiry pursuant to this section, the commissioner may comment with respect to the conduct of:

(a) former members of the Assembly; and

(b) former or current employees in the public service within the meaning of *The Public Service Act, 1998* or former or current employees of a Crown corporation.

1993, c.M-11.11, s.33; 2002, c.52, s.8.

Timely disclosure of reports

33.1(1) If the Speaker is required by this Act to lay a report or document before the Assembly, and the Assembly is not in session when the Speaker receives the report or document, the Speaker shall provide the report or document to the Clerk of the Assembly within 15 days after the day the report or document is received.

(2) When the Clerk of the Assembly receives a report or document pursuant to this section, the clerk shall, as soon as is possible:

(a) subject to subsection (5), cause a copy of the report or document to be delivered to each member of the Assembly; and

(b) make the report or document available for public inspection during normal business hours of the Clerk of the Assembly.

(3) If the Speaker receives a report pursuant to section 25 and submits that report to the Clerk of the Assembly pursuant to this section, the Speaker is deemed to have laid the report or document before the Assembly in accordance with *The Tabling of Documents Act, 1991*.

(4) For the purposes of this section, the Assembly is not in session if it:

(a) is prorogued; or

(b) is adjourned for an indefinite period or to a day more than 15 days after the day the Speaker receives the report or document.

(5) The requirement in clause (2)(a) to deliver a copy of a report or document to the members of the Assembly does not apply in the period that:

(a) commences on the day an Assembly is dissolved; and

(b) ends on the first sitting day of the first session of the Assembly held after the general election held pursuant to *The Election Act, 1996* that follows the dissolution mentioned in clause (a).

2002, c.52, s.9.

Offence respecting former members of Executive Council

34(1) No former member of the Executive Council shall knowingly, during the 12 months after the date he or she ceased to hold office:

(a) accept a contract or benefit that is awarded, approved or granted by a government decision-maker;

(b) make representations to a government decision-maker on his or her behalf or on behalf of another person with respect to a contract or benefit;

(c) accept a contract or benefit from any person to make representations to a government decision-maker with respect to a contract or benefit that is or is to be awarded, approved or granted by a government decision-maker; or

(d) be an associate of a person who has received a contract or benefit that is awarded, approved or granted by a government decision-maker.

(2) Subsection (1) does not apply to contracts of employment with respect to further duties in the service of the Crown.

(3) Subsection (1) does not apply if the conditions on which the contract or benefit is awarded, approved, or granted are the same for all persons similarly entitled.

(4) A former member of the Executive Council may apply to the commissioner for an exemption from the application of subsection (1) with respect to a contract or benefit or a class of contracts or benefits.

(5) On the application of a former member of the Executive Council pursuant to subsection (4), the commissioner may exempt the contract or benefit or class of contracts or benefits from the application of subsection (1) if, in the opinion of the commissioner:

(a) the consideration and terms of the contract or benefit are fair and reasonable; and

(b) it is not contrary to the public interest to exempt the contract or benefit or class of contracts or benefits from the application of subsection (1).

(6) The commissioner may impose any terms and conditions that the commissioner considers appropriate on an exemption granted pursuant to subsection (5).

(7) The commissioner shall, as soon as is practicable, report to the Speaker in writing respecting any exemption granted pursuant to subsection (5).

(8) The commissioner shall include in the annual report to the Speaker required pursuant to section 25 a summary of all exemptions granted in that year or that remain in force during that year.

(9) A former member of the Executive Council who contravenes subsection (1) is guilty of an offence and liable, on summary conviction, to a fine of not more than $50,000.

(10) No prosecution for an offence pursuant to this section is to be commenced after:

(a) in the case of an alleged offence respecting a contract or a benefit awarded, approved or granted, two years from the date that:

(i) the contract has been discharged or terminated; or

(ii) the benefit has been terminated; or

(b) in any other case, two years from the date of commission of the alleged offence.

2002, c.52, s.10.

Regulations

35 The commissioner may make regulations:

(a) prescribing forms for the purposes of this Act;

(b) exempting categories of information from being provided in a public disclosure statement required by section 12;

(c) prescribing any other matter or thing that is required or authorized by this Act to be prescribed in the regulations.

1993, c.M-11.11, s.35; 2002, c.52, s.11.

36 to 38 Dispensed. These sections make consequential amendments to other Acts. The amendments have been incorporated into the corresponding Acts.

Editorial Appendix
(Amendments)

The following table contains amendments to be proclaimed and/or effective at a future date, as follows: (Please refer to the Tables of Saskatchewan Statutes and Regulations for complete historical/archival information on this publication)

Amending Year	Chapter	Section	Effective

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